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NOTICE OF ALLOWANCE AND FEE(S) DUE

25944 7590 08/19/2003

OLIFF & BERRIDGE, PLC
P.O. BOX 19928
ALEXANDRIA, VA 22320

EXAMINER

MATHEWS, ALAN A

ART UNIT

CLASS-SUBCLASS

2851

355-067000

DATE MAILED: 08/19/2003

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/326,214	06/03/1999	OSAMU TANITSU	103512.99	3924

TITLE OF INVENTION: ILLUMINATION OPTICAL APPARATUS AND SCANNING EXPOSURE APPARATUS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1300	\$0	\$1300	11/19/2003

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHT. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPO PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THE STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (O AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status is changed, pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above and notify the United States Patent and Trademark Office of the change in status, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is n claiming SMALL ENTITY status, check the box below and enclo the PUBLICATION FEE and 1/2 the ISSUE FEE shown above.

☐ Applicant claims SMALL ENTITY status.
See 37 CFR 1.27.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) w your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail** Mail Stop ISSUE FEE
Commissioner for Patents
Alexandria, Virginia 22313-1450
or Fax (703) 746-4000

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed when appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block 1)
 25944 7590 08/19/2003

OLIFF & BERRIDGE, PLC
 P.O. BOX 19928
 ALEXANDRIA, VA 22320

Note: A certificate of mailing can only be used for domestic mailings of Fee(s) Transmittal. This certificate cannot be used for any other accompany papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

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nonprovisional	NO	\$1300	\$0	\$1300	11/19/2003

EXAMINER	ART UNIT	CLASS-SUBCLASS
MATHEWS, ALAN A	2851	355-067000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 _____
 2 _____
 3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent); ☐ individual ☐ corporation or other private group entity ☐ government

4a. The following fee(s) are enclosed:

- ☐ Issue Fee
- ☐ Publication Fee
- ☐ Advance Order - # of Copies _____

4b. Payment of Fee(s):

- ☐ A check in the amount of the fee(s) is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized to charge the required fee(s), or credit any overpayment Deposit Account Number _____ (enclose an extra copy of this form).

Director for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature)

(Date)

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, Virginia 22313-1450.

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OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320			MATHEWS, ALAN A	
			ART UNIT	PAPER NUMBER

2851

DATE MAILED: 08/19/2003

Determination of Patent Term Extension or Adjustment under 35 U.S.C. 154 (b)

A reissue patent is for "the unexpired part of the term of the original patent." See 35 U.S.C. 251. Accordingly, the above-identified reissue application is not eligible for Patent Term Extension or Adjustment under 35 U.S.C. 154(b).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office Patent Legal Administration at (703) 305-1383. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.



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			ART UNIT	PAPER NUMBER
			2851	
DATE MAILED: 08/19/2003				

Notice of Fee Increase on October 1, 2003

If a reply to a "Notice of Allowance and Fee(s) Due" is filed in the Office on or after October 1, 2003, then the amount due will be higher than that set forth in the "Notice of Allowance and Fee(s) Due" since there will be an increase in fees effective on October 1, 2003. See Revision of Patent Fees for Fiscal Year 2004; Final Rule, 68 Fed. Reg. 41532, 41533, 41534 (July 14, 2003).

The current fee schedule is accessible from (<http://www.uspto.gov/main/howtofees.htm>).

If the fee paid is the amount shown on the "Notice of Allowance and Fee(s) Due" but not the correct amount in view of the fee increase, a "Notice of Pay Balance of Issue Fee" will be mailed to applicant. In order to avoid processing delays associated with mailing of a "Notice of Pay Balance of Issue Fee," if the response to the Notice of Allowance is to be filed on or after October 1, 2003 (or mailed with a certificate of mailing on or after October 1, 2003), the issue fee paid should be the fee that is required at the time the fee is paid. If the issue fee was previously paid, and the response to the "Notice of Allowance and Fee(s) Due" includes a request to apply a previously-paid issue fee to the issue fee now due, then the difference between the issue fee amount at the time the response is filed and the previously-paid issue fee should be paid. See Manual of Patent Examining Procedure, Section 1308.01 (Eighth Edition, August 2001).

Effective October 1, 2003, 37 CFR 1.18 is amended by revising paragraphs (a) through (c) to read as set forth below

Section 1.18 Patent post allowance (including issue) fees.

- (a) Issue fee for issuing each original or reissue patent, except a design or plant patent:
 - By a small entity (Sec. 1.27(a))..... \$665.00
 - By other than a small entity..... \$1,330.00
- (b) Issue fee for issuing a design patent:
 - By a small entity (Sec. 1.27(a))..... \$240.00
 - By other than a small entity..... \$480.00
- (c) Issue fee for issuing a plant patent:
 - By a small entity (Sec. 1.27(a))..... \$320.00
 - By other than a small entity..... \$640.00

Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.

Notice of Allowability

Application No.

09/326,214

Examiner

Alan A. Mathews

Applicant(s)

TANITSU ET AL.

Art Unit

2851

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to communication filed on 3-28-2003 and 6-9-2003.
2. ☒ The allowed claim(s) is/are 1-104.
3. ☒ The drawings filed on 03 June 1999 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 08/147,259 and 08/365,532 **AM**
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No. _____.
 - (b) ☐ including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.
 - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet.

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- 1 ☐ Notice of References Cited (PTO-892)
- 3 ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 5 ☒ Information Disclosure Statements (PTO-1449), Paper No. 23.
- 7 ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

- 2 ☐ Notice of Informal Patent Application (PTO-152)
- 4 ☒ Interview Summary (PTO-413), Paper No. 25.
- 6 ☐ Examiner's Amendment/Comment
- 8 ☒ Examiner's Statement of Reasons for Allowance
- 9 ☐ Other

Alan A. Mathews

**Alan A. Mathews
Primary Examiner**

REASONS FOR ALLOWANCE

1. The following is an examiner's statement of reasons for allowance:

The prior art of record does not disclose or suggest an optical integrator having a plurality of lens elements for forming a plurality of light source images based on a beam from a light-source-image forming means, said lens elements having a rectangular cross section, two sides adjacent to each other of the rectangular cross section being different in length, the lens element having a same refracting power both in the direction of the longer side of the rectangular cross section and in the direction of the shorter side; a light supply means including a light source system for emitting light having a beam cross section of substantially square or circle; light source changing means for forming a plurality of light source images, based on the light from the light source system; and a second relay optical system located between the light source changing means and the light source-image forming means, for making a position of the light source images formed by the light source changing means conjugate with a position of the light source images formed by the light-source-image forming means in combination with the other elements recited in independent claims 1 and 16.

The prior art of record does not disclose or suggest an internal reflection type integrator having two reflection planes parallel to each other for forming plurality of light source images based on a beam from a light-source image forming means, the internal reflection type integrator⁴ having a rectangular cross section, two side adjacent to each other of the rectangular

Art Unit: 2851

cross section being different in length; the light supply means including a light source system for emitting light having a beam cross section of substantially square or circle; light source changing means for forming a plurality of light source images, based on the light from the light source system in combination with the other elements recited in independent claim 8.

The prior art of record does not disclose or suggest an optical integrator having a plurality of lens elements for forming a plurality of light source images based on a beam from a light-source-image forming means, said lens elements having a rectangular cross section, two sides adjacent to each other of the rectangular cross section being different in length, the lens element having a same refracting power both in the direction of the longer side of the rectangular cross section and in the direction of the shorter side; a light supply means comprising: a collector mirror having an ellipsoidal surface of revolution; a light source located at one focal point of the ellipsoidal surface of revolution so that light emitted therefrom is reflected and collected by the collector mirror; and a collimator lens for converting light collected by the collector mirror into substantially parallel beams in combination with the other elements recited in independent claim 12.

The prior art of record does not disclose or suggest an internal reflection type integrator having two reflection planes parallel to each other for forming plurality of light source images based on a beam from a light-source image forming means, the internal reflection type integrator⁴ having a rectangular cross section, two side adjacent to each other of the rectangular cross section being different in length; a light supply means comprising: a collector mirror

Art Unit: 2851

having an ellipsoidal surface of revolution; a light source located at one focal point of the ellipsoidal surface of revolution so that light emitted therefrom is reflected and collected by the collector mirror; and a collimator lens for converting light collected by the collector mirror into substantially parallel beams in combination with the other elements recited in independent claim 13.

The prior art of record does not disclose or suggest an optical integrator having a plurality of lens elements for forming a plurality of light source images based on a beam from a light-source-image forming means, said lens elements having a rectangular cross section, two sides adjacent to each other of the rectangular cross section being different in length, the lens element having a same refracting power both in the direction of the longer side of the rectangular cross section and in the direction of the shorter side; a light supply means comprising: a collector mirror having an ellipsoidal surface of revolution; a light source located at a first focal point of the ellipsoidal surface of revolution so that light emitted therefrom is reflected and collected by the collector mirror in combination with the other elements recited in independent claim 14.

The prior art of record does not disclose or suggest an internal reflection type integrator having two reflection planes parallel to each other for forming plurality of light source images based on a beam from a light-source image forming means, the internal reflection type integrator having a rectangular cross section, two side adjacent to each other of the rectangular cross section being different in length; and a light source located at one focal point of the ellipsoidal

Art Unit: 2851

surface of revolution so that light emitted therefrom is reflected and collected by the collector mirror in combination with the other elements recited in independent claim 15.

The prior art of record does not disclose or suggest an internal reflection type integrator having two reflection planes parallel to each other for forming plurality of light source images based on a beam from a light-source image forming means, the internal reflection type integrator having a rectangular cross section, two side adjacent to each other of the rectangular cross section being different in length; a light supply means including a light source system for emitting light having a beam cross section of substantially square or circle; light source changing means for forming a plurality of light source images, based on the light from the light source system; and a second relay optical system located between the light source changing means and the light source-image forming means, for making a position of the light source images formed by the light source changing means conjugate with a position of the light source images formed by the light-source-image forming means in combination with the other elements recited in independent claim 23.

The prior art of record does not disclose or suggest an optical integrator having a plurality of lens elements for forming a plurality of light source images based on a beam from a light-source-image forming means, said lens elements having a rectangular cross section, two sides adjacent to each other of the rectangular cross section being different in length, the lens element having a same refracting power both in the direction of the longer side of the rectangular cross section and in the direction of the shorter side; a relay optical system disposed between the light

Art Unit: 2851

source image forming means and the optical integrator, for making a position of the light source images formed by the light-source-image forming means conjugate with a position of the light source images formed by the optical integrator in combination with the other elements recited in independent claim 24.

The prior art of record does not disclose or suggest an internal reflection type integrator having two reflection planes parallel to each other for forming plurality of light source images based on a beam from a light-source image forming means, the internal reflection type integrator having a rectangular cross section, two side adjacent to each other of the rectangular cross section being different in length; a relay optical system disposed between the light source image forming means and said internal reflection type integrator, for making a position of the light source images formed by the light source image forming means conjugate with a position of the light source images formed by the internal reflection type integrator in combination with the other elements recited in independent claims 29 and 41.

The prior art of record does not disclose or suggest an internal reflection type integrator having two reflection planes parallel to each other for forming plurality of light source images based on a beam from a light-source image forming means, the internal reflection type integrator having a rectangular cross section, two side adjacent to each other of the rectangular cross section being different in length; a relay optical system disposed between the light source image forming means and the optical integrator, for making a position of the light source images formed by the light-source-image forming means conjugate with a position of the light source images

Art Unit: 2851

formed by the optical integrator in combination with the other elements recited in independent claim 33.

The prior art of record does not disclose or suggest providing an illumination optical system that illuminates a rectangular area on a predetermined plane on which a mask is arranged, and which includes an internal reflection type integrator with an exit plane having a shape substantially equal to that of the rectangular area on the predetermined plane as recited in independent claims 43, 76, and 77.

The prior art of record does not disclose or suggest an illumination optical system that illuminates a slit area on a predetermined plane on which a mask is arranged and that includes a fly-eye type integrator having a plurality of optical elements, each of which has a cross-sectional shape that is substantially equal to the slit area on the predetermined plane as recited in independent claims 54, 78, and 80.

The prior art of record does not disclose or suggest an illumination optical system that forms a plurality of light source images in which the number of light source images arranged in a first direction corresponding to a longitudinal direction of the slit area is different from a number of light source images arranged in a second direction crossing the first direction as recited in independent claims 64, 81, and 83.

The prior art of record does not disclose or suggest an illumination optical system having an internal reflection type integrator on an optical axis of the illumination optical system and an optical device that changes an intensity distribution of an illumination beam on a pupil plane of the illumination optical system as recited in independent claim 84.

The prior art of record does not disclose or suggest an illumination optical system having a pupil plane including a center area and an outer area around the center area, an illumination optical system comprising a first optical integrator on the optical axis and an optical device which makes an intensity distribution increase in the outer area, in comparison with a an intensity distribution in the center area of the pupil plane, and said illumination optical system illuminating the slit area with an illumination beam; and a moveable member arranged to relatively move a mask with respect to the slit area during scanning exposure on a substrate with said illumination beam through said mask and hold said mask at a position on or near said predetermined plane as recited in independent claim 93.

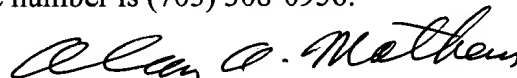
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Art Unit: 2851

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alan A. Mathews whose telephone number is (703) 308-1706. The examiner can normally be reached on Monday through Friday from 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Russ Adams can be reached on (703) 308-2847. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9318 for regular communications and (703) 872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.



Alan A. Mathews
Primary Examiner
Art Unit 2851

AAM
June 6, 2003